

21 C.J.S. Courts § 156

Corpus Juris Secundum | May 2023 Update

Courts

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V. Rules of Practice and Procedure

A. Rules of Practice and Procedure, Generally

1. In General

§ 156. Rules of practice and procedure, generally

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West's Key Number Digest

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Rules of practice are adopted to facilitate the business of the court and to promote the orderly and expeditious administration of justice.

Rules of practice are adopted to facilitate the business of the court and to promote the orderly and expeditious administration of justice.¹ The rules are a necessary part of an orderly system of justice; their efficacy, however, depends upon the willingness of courts to enforce them according to their terms.²

The rules should control the order of a court's business to safeguard the rights of litigants.³ The rules of civil and appellate procedure have a purpose, and while they should not be construed or applied in a way that defeats the ends of justice or does no more than promote form over substance,

courts must enforce them in a consistent manner⁴ rather than engaging in case-specific deviations that create confusion about their applicability.⁵

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Footnotes

- 1 La.—*In re Bar Exam Class Action*, 752 So. 2d 159 (La. 2000).
Va.—*Stern v. Chemtall Inc.*, 217 W. Va. 329, 617 S.E.2d 876 (2005).
- 2 Wyo.—*Paxton Resources, L.L.C. v. Brannaman*, 2004 WY 93, 95 P.3d 796 (Wyo. 2004).
- 3 S.C.—*Brown v. Coe*, 365 S.C. 137, 616 S.E.2d 705 (2005), order clarified on other grounds, 365 S.C. 664, 620 S.E.2d 323 (2005).
- 4 Me.—*U.S. Bank Nat. Ass'n v. Curit*, 2016 ME 17, 131 A.3d 903 (Me. 2016).
- 5 Me.—*U.S. Bank Nat. Ass'n v. Curit*, 2016 ME 17, 131 A.3d 903 (Me. 2016).

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